

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

In the specification, paragraph 42 has been amended on page 10.

Claims 12, 13 and 15 are currently being amended.

Claims 23-25 are currently being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 12-18 and 23-25 are now pending in this application.

In the November 1, 2004 Official Action, the Examiner objected to claim 13 due to the inadvertent inclusion of "rotapanell" instead of "rotatably." Applicant has therefore amended the claims to include the word "rotatably" as was originally intended. Applicant notes that this amendment is not intended to alter the scope of the claims, but instead is only intended to correct an informality which was recognized by the Examiner. A similar amendment has also been made to paragraph 42 of the specification in response to an identical typographical error which was observed by Applicant. Applicant submits that no new matter is being added as a result of these amendments.

The Examiner indicated that claim 15 would be allowable in its original form if it was rewritten in independent form, including all of the limitations of the base claims and any intervening claims. Applicant has therefore amended claim 15 to include all of the limitations of claims 12, 13 and 14, placing the claim in condition for allowance. Additionally, Applicants has

added new claims 23, 24 and 25. Each of these new claims is directly or indirectly dependent upon now-allowable claim 15. Therefore, because claim 15 is now in condition for allowance, Applicant submits that claims 23-25 are now allowable as well.

The Examiner rejected claims 12-14 and 16-18 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,195,959, issued to Tisma. The Examiner has asserted that all of the features described in these claims can be found in the Tisma reference.

In response to the Examiner's rejection, Applicant has amended claim 12 to more fully describe the rotation of the package holding assembly and the flap holding assembly, respectively, as being relative to the direction of movement of the respective mandrel on the conveyor system. As is discussed at paragraph 42 of the present application, "the package-holding assembly 204 is capable of rotating about the first axis 216" as depicted in Figures 8 and 9. As can be seen in these Figures, this axis does not change even when the conveyor system moves, and the rotation of the package-holding assembly in the present invention constitutes a rotation relative to the movement of the conveyor system.

In the cited Tisma reference, the Examiner has relied on the movement of the package-holding assembly along and around the conveyor system as constituting rotation of the package-holding assembly about a first axis. However, this rotation of the package-holding assembly does not occur relative to the movement of the mandrel itself, as is required by amended claim 12. Instead, the rotation of the package-holding assembly in the Tisma reference occurs in concert with the movement of the mandrel; as the mandrel "rotates" around the conveyor system, the mandrel "rotates" with it.

Because the package-holding assembly in the Tisma reference does not rotate relative to the movement of the mandrel on the conveyor system, many of the actions that are possible by the present invention, such as those described in paragraph 50 of the present application, cannot be accomplished. In particular, because the mandrel in the Tisma reference is always arranged such that the "back" of the box blank is essentially flush with the conveyor system, one side of

the box blank always constitutes the leading edge of the blank as the mandrel moves forward along the conveyor system. This severely limits many of the folding actions that can be imparted upon the box blank.

With mandrels of the present application, on the other hand, the entire box blank is rotated relative to the mandrel's movement along conveyor. As can be observed in Figures 8 and 9 of the present application, the result of this rotation of the package-holding assembly is that a different portion of the box blank becomes the leading edge of the blank as the mandrel rotates. This allows the respective plows and tucker assemblies of the present invention to perform more actions on the box blank than system discussed in the Tisma reference.

In order to emphasize this important feature Applicant has amended claim 12 to more clearly describe how the package-holding assembly and the flap holder assembly rotate relative to the movement of the mandrel along the conveyor, instead of (for the package holding assembly) simply rotating with the conveyor. For all of these reasons, Applicant submits that claim 12 is now allowable over the Tisma reference. In addition, because claims 13-14 and 16-18 are directly or indirectly dependent upon claim 12, Applicant submits that these claims are allowable over the Tisma reference as well.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1450. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit

Account No. 06-1450. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1450.

Respectfully submitted,

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